

ORIGINAL

JULIO\_G.rem

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**FILED**  
DISTRICT COURT OF GUAM

MAR 31 2006

MARY L.M. MORAN  
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO. 03-00021
	)	
Plaintiff,	)	
	)	
vs.	)	PETITION TO REMIT SPECIAL
	)	ASSESSMENT FEE
GABRIEL JULIO,	)	[18 U.S.C. § 3573]
	)	
Defendant.	)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid special assessment fee earlier imposed upon Defendant GABRIEL JULIO and in support hereof, states as follows:

1. On July 23, 2003, sentence was imposed by this Court against Defendant GABRIEL JULIO. Among other things, a \$100.00 special assessment fee was ordered. The total amount now owed by said Defendant is \$100.00.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, GABRIEL JULIO, was deported to the FSM (Federated States of Micronesia) on August 20, 2003. See Exhibit "A."

3. Section 3573 of Title 18, United States Code, as amended, provides in pertinent part as follows:

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1                   Upon petition by the Government showing that reasonable efforts to  
2 collect a fine or assessment are not likely to be effective, the court may, in the  
3 interest of justice --

4                   (1) remit all or part of the unpaid portion of the fine or special assessment,  
5 including interest and penalties . . . .

6           4.       The United States Attorney has determined that in light of Defendant's  
7 deportation, there is no reasonable likelihood that expending further efforts to collect the special  
8 assessment fee will produce any revenue to the United States. To the contrary, any further efforts  
9 will needlessly expend resources that could be better directed to areas with greater potential for  
10 recovery.

11           5.       The interests of justice mitigate in favor of remission of the unpaid special  
12 assessment fee.

13           WHEREFORE, the United States of America respectfully requests that this Court enter  
14 an order remitting the unpaid special assessment fee imposed upon Defendant.

15           DATED this 30th day of March, 2006.

16                                   LEONARDO M. RAPADAS  
17                                   United States Attorney  
18                                   Districts of Guam and NMI

19                                   By: 

20                                   MARIVIC P. DAVID  
21                                   Assistant U.S. Attorney  
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A-NUM : 026073847

LAST-NAME : JULIO

NATLTY: FSM

FIRST-NAME: GABRIEL

DATE-DOCKET-CLEARED: 08/20/2003

DEPART-CLEARED-STAT: 6

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 08/20/2003

PORT-DEPARTED: AGA

DEPART-COUNTRY: FSM

FINAL-CHARGE: RI6C1

EXPENSE-CODE: 1

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

